

REMARKS

No new matter is added by this amendment. The present application was filed on September 12, 2003 with original claims 1-60. By this amendment claims 1, 32 and 48-60 have been amended and new claims 61 and 62 have been added. The claims remaining in consideration are claims 1-62. Reconsideration is respectfully requested.

The Examiner acknowledged Applicants' claim for priority under 35 USC §119(e) to US Provisional Patent Application 60/502,179, filed September 11, 2003. However, the Examiner erroneously determined that the present invention was not supported by the provisional application. This is respectfully traversed. Independent claims 1 and 33 have been amended to more clearly identify the subject matter, applicants regard as the invention.

The present invention sets forth a remote device and a method, by which an alert, issued by a gaming machine, is sent to a remote device. This is clearly supported and fully supported throughout the '179 Provisional Patent Application and particularly on page 1059 thereof (a copy of which is provided for the Examiner's reference). Thereof, Applicants respectfully request Examiner's acknowledgement of the priority to the '179 provisional.

Claims 1-60 were provisionally rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over the claims of a series of commonly owned, copending applications. This provisional rejection is respectfully traversed.

As discussed above, independent claims 1 and 32 have been amended to more clearly identify the subject matter applicants regard as their invention.

Specifically, the present invention relates to the use of a remote device for handling an alert issued by a gaming machine. All of the claims contained in the Examiner referenced copending applications, while referring to a remote device, do in fact, relate to providing other functionality using the remote device. As none of the other copending applications are related to handling an alert issued by a gaming machine, applicants respectfully assert that the present claims are patentably distinct and request withdrawal of the provisional obvious-type double patenting rejection.

Claims 1-7 and 32-37 were rejected under 35 USC §102(e) as being anticipated by US Patent 6,712,698 issued to Paulsen et al. Claims 1-7 and 32-37 were also rejected under 35 USC §103(a) as being unpatentable over Paulsen. Claims 8-31 and 38-60 were also rejected under 35 USC §103(a) as being unpatentable over Paulsen. These rejections are respectfully traversed. Independent claims 1 and 32 have been amended to more clearly identify the subject matter applicants regard as the invention.

As discussed above, independent claim 1 sets forth a remote system for use with a gaming system for processing an alert. The gaming system includes a gaming machine capable of issuing an alert and a host computer coupled to the at least one gaming machine by a network. The remote system includes a remote device and a remote network interface. The remote device receives data and the remote network interface is coupled to the remote device for exchanging data between the host computer and the remote device including alert information to process the alert. The remote device allows a user to acknowledge the alert and responsively inform the host computer that the user will address the alert.

Independent 32 sets forth a method for using a remote device for processing an alert for use with a gaming system., The gaming system has a gaming machine capable of issuing an alert and a host computer coupled to the at least one gaming machine by a network. The method includes the steps of sending a selectable form to a remote device, the form identifying at least one alert to a user, allowing the user to select the alert on the selectable form, responsively displaying details of the selected alert to the user on the remote device, and allowing the user to acknowledge, on the remote device, that the user will be addressing the alert. The remote device is a mobile device, e.g., it may be carried around by an employee of the casino.

In contrast Paulsen discloses a game service interface for a player tracking touch screen display. The player tracking touch screen display is located on and attached to a gaming machine 90 and provides various "gaming services". The player tracking device of Paulsen is an integral part of a gaming machine. Furthermore, Paulsen does not disclose a remote device or a method for processing an alert is set forth in amended independent claims 1 and 32.

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Since Paulsen does not include each and every limitation of independent claims 1 and 32, applicants respectfully assert that the rejections of independent claims 1 and 32 are improper and request that they be withdrawn. Claims 2-31 and 33-60 and new claims 61-62 are ultimately dependent upon allowable claims 1 or 32, respectively. Therefore, for the reasons sets forth above, and based on their own merits, applicants respectfully assert that these claims are allowable over Paulsen and request that the rejections be withdrawn.

All of the Examiner's rejections and objections having been successfully traversed and/or made moot, applicants respectfully assert that the present application is now in condition for allowance. An early Notice of Allowance is solicited. If the Examiner believes that a telephone interview would be appropriate, please contact the undersigned at the number provided below.

If any additional fees become required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account 08-2789 in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted

HOWARD & HOWARD ATTORNEYS, P.C.

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Date



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